

trict Court of the United States for said district a libel for the seizure and condemnation of 9 cases, each containing 12 1-gallon cans of so-called olive oil, consigned by A. Dimino, New York, N. Y., remaining unsold in the original unbroken packages at Phillipsburg, N. J., alleging that the article had been shipped on or about January 27, 1919, and transported from the State of New York into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act. A portion of the cans were labeled in part, "Finest Quality Olive Oil Extra Pure, of Termini Imerese, Italy Sicilia Italia * * * Guaranteed Absolutely Pure (picture of olive tree)." A portion were labeled in part, "Vergine. This olive oil is guaranteed to be absolutely pure and is made from the finest selected olives grown on the Italian Riviera. This Vergine oil is highly recommended for medicinal and table use * * *."

Adulteration of the article was alleged for the reason that it purported to be pure olive oil produced in Italy, when, in fact, it consisted wholly or in part of cottonseed oil, which had been substituted for olive oil. It was further alleged that the article in the cans labeled "Vergine" olive oil was sold under a name recognized in the United States Pharmacopœia, and differed from the standard described by that authority, and its own standard was not stated upon the label.

Misbranding of the article was alleged in substance for the reason that the statements, designs, and devices borne on the labels and in the circulars, regarding the article and the ingredients and substances contained therein, were false and misleading in that they indicated to the purchaser that the packages contained olive oil, when, in fact, they did not; and for the further reason that it purported to be olive oil when, as a matter of fact, it consisted largely or wholly of cottonseed oil; and for the further reason that it purported to be a foreign product, when not so; and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article; and for the further reason that it was falsely branded as to the country in which it was produced.

On June 14, 1919, the said A. Dimino, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act, conditioned in part that the product should be repacked and relabeled under the supervision of a representative of this department.

E. D. BALL,
Acting Secretary of Agriculture.

7104. Adulteration and misbranding of Orange Jooj. U. S. * * * v. 5 Barrels of Orange Jooj. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9702. I. S. No. 6129-r. S. No. C-1062.)

On February 13, 1919, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 barrels of Orange Jooj, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the product had been shipped on or about October 7, 1918, by the Orange Julep Co., St. Louis, Mo., and transported from the State of Missouri into the State of Louisiana, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Sirup Orange Jooj 'Its Cloudy'".

'That's the Fruit,' Juleped Oranges (design of half an orange) Contains 1/20 of 1% Sodium Benzoate. Small Amount of Certified Color * * *," and "Manufactured by The Orange Julep Co., St. Louis, Mo."

Adulteration of the article was alleged in the libel for the reason that it was a product composed of sugar, glucose, water, flavor, and artificial color which had been substituted for orange juice sirup, and for the further reason that it was artificially colored in a manner whereby its inferiority was concealed, and for the further reason that it contained an added deleterious ingredient, to wit, salicylic acid, which might render the article injurious to health.

Misbranding of the article was alleged for the reason that the statements on the labels of the barrels, together with the pictorial designs thereon, were false and misleading and deceived and misled, and for the further reason that the quantity of the contents was not declared on the labels on the barrels.

On March 21, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,

Acting Secretary of Agriculture.

7105. Adulteration of oranges. U. S. * * * v. 44 Boxes of Adulterated Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9703. I. S. No. 2500-r. S. No. W-276.)

On February 14, 1919, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 44 boxes of oranges, remaining unsold in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped on January 30, 1919, by the Rialto Fruit Co., Rialto, Calif., and transported from the State of California into the State of Oregon, and charging adulteration in violation of the Food and Drugs Act. The article was labeled "Wild Flower Brand Randolph Marketing Co., California."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance, and that frosted and damaged oranges had been substituted for normal oranges of good commercial quality.

On May 13, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,

Acting Secretary of Agriculture.

7106. Adulteration and misbranding of spring water. U. S. * * * v. 10 Cases of West Baden Concentrated Spring Water. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9704. I. S. No. 5889-r. S. No. C-1069.)

On February 14, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 cases of West Baden Concentrated Spring Water, consigned on December 16, 1918, by the West Baden Springs Co., West Baden, Ind., remaining unsold in the original unbroken packages at Cincinnati, Ohio, alleging that the article had been shipped and transported from the State of Indiana into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "West Baden Concentrated Spring Water Best For The Bowels From West Baden Springs Co. West Baden, Ind." "Active Cathartic West Baden